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19 United States of America

20 UNITED STATES DISTRICT COURT

21 FOR THE CENTRAL DISTRICT OF CALIFORNIA

22 SOUTHERN DIVISION

23 UNITED STATES OF AMERICA, ) NO. SACV 06-378-AHS (MLGx)  
24 Plaintiff, ) [AND THE FOLLOWING  
25 v. ) CONSOLIDATED ACTIONS:  
REAL PROPERTY IN GARDEN GROVE, ) SACV 06-384-AHS (MLGx)  
CALIFORNIA, ) SACV 06-387-AHS (MLGx)  
Defendant. ) SACV 06-388-AHS (MLGx)  
 ) SACV 06-392-AHS (MLGx)  
 ) **CV 06-2210-AHS (MLGx)**  
 ) CV 06-2212-AHS (MLGx)  
 ) CV 06-2216-AHS (MLGx)  
 ) CV 06-2217-AHS (MLGx)  
 ) CV 06-5081-AHS (MLGx)  
 ) CV 07-167-AHS (MLGx)

26 [CONSENT JUDGMENT

27 [This document pertains to  
28 **CV 06-2210, only,** and is  
being lodged concurrently  
with a proposed consent  
judgment in Real Property in  
La Puente, CV 06-2212; Real  
Property in Paramount, CV  
06-2217; and \$46,050.41, et  
al., CV 07-167; the two  
consent judgments resolve  
and dispose of the remainder  
of the consolidated actions]

1       On April 11, 2006, plaintiff United States of America  
2 ("plaintiff" or the "government") commenced a forfeiture action  
3 against a parcel of real property located in Las Vegas, Nevada  
4 (the "Las Vegas property action"). [See United States v. Real  
5 Property in Las Vegas, Nevada, CV 06-2210-AHS (MLGx).] In that  
6 action, as in all of the consolidated cases, the government  
7 alleges that the defendant property was purchased with proceeds  
8 of violations of the Travel Act, 18 U.S.C. § 1952(a), rendering  
9 it subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C).

10      On May 12, 2006, claimant Edward Lutt ("claimant") filed a  
11 statement of interest in the Las Vegas property action. No other  
12 claims, statements of interest, or answers have been filed, and  
13 the time for filing claims, statements, and answers has expired.

14      The government and claimant have agreed to settle the Las  
15 Vegas property action and to avoid further litigation.

16      The Court having been duly advised of and having considered  
17 the matter, and based upon the mutual consent of plaintiff and  
18 claimant,

19           IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

20      1. This Court has jurisdiction over the Las Vegas property  
21 action pursuant to 28 U.S.C. §§ 1345 and 1335.

22      2. The Complaint for Forfeiture states claims for relief  
23 pursuant to 18 U.S.C. § 981(a)(1)(C).

24      3. Notice of the action has been given as required by law.  
25 Claimant filed the only claim, statement of interest, or answer  
26 in the Las Vegas property action. Claimant is relieved of his  
27 duty to file an answer in the action. The Court deems that all  
28 / / /

1 other potential claimants admit the allegations of the Complaint  
2 for Forfeiture to be true.

3       4. Claimant agrees to forfeiture as set out below, and a  
4 judgment of forfeiture is hereby entered in favor of the United  
5 States:

6                 (A) The Las Vegas property shall be and hereby is  
7 forfeited to the United States of America, and no other  
8 right, title, or interest shall exist therein. The Las  
9 Vegas property is located at 316 Challas Street, Las Vegas,  
10 Nevada, 89110, and is more particularly described as  
11 follows:

12                 Lot sixteen (16) in Block one (1) of Metropolitan Park  
13 No. 16 as shown by Map thereof on file in Book 20 of  
14 Plats, Page 95, in the Office of the County Recorder of  
15 Clark County, Nevada.

16                 (1) The Recorder for Clark County, Nevada, shall  
17 index this judgment in the grantor index under the name  
18 of Edward Lutt and in the grantee index under the name  
19 of the United States of America.

20                 (2) Title having vested in plaintiff United  
21 States of America, the United States shall proceed to  
22 dispose of the Las Vegas property in accordance with  
23 the law. Upon disposition of the property, and  
24 following deduction of costs incurred by the Department  
25 of Homeland Security -- U.S. Customs and Border  
26 Protection and payment of unpaid real property taxes  
27 assessed against the Las Vegas property up to the date  
28 of entry of Judgment of Forfeiture, the remaining

proceeds generated by the disposition of the Las Vegas property shall be deposited in accordance with the law.

5. Claimant will execute further documents, to the extent necessary, to convey clear title to the Las Vegas property and to further implement the terms of this Consent Judgment.

6. The parties waive the redacting and sealing requirements of L.R. 79-5.4.

7. Claimant hereby releases the United States of America, its agencies, officers, and employees, including employees of the Department of Homeland Security, Immigration and Customs Enforcement, the Internal Revenue Service -- Criminal Investigation Division, and the Department of Homeland Security - U.S. Customs and Border Protection, and local law enforcement agencies, their agents, officers, and employees, from any and all claims, actions, or liabilities arising out of or related to this action, including, without limitation, any claim for attorneys' fees, costs, or interest on behalf of claimant, whether pursuant to 28 U.S.C. § 2465 or otherwise.

8. The Court finds that there was reasonable cause for the institution of these proceedings against the Las Vegas property. This judgment shall be construed as a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

DATED: March 27, 2009.

ALICEMARIE H. STOTLER  
THE HONORABLE ALICEMARIE H. STOTLER  
UNITED STATES DISTRICT JUDGE

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1                           CONSENT

2       The government and claimant consent to judgment and waive  
3 any right of appeal.

4 DATED: February \_\_\_, 2009

THOMAS P. O'BRIEN  
United States Attorney  
CHRISTINE C. EWELL  
Assistant United States Attorney  
Chief, Criminal Division  
STEVEN R. WELK  
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Chief, Asset Forfeiture Section

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9                           ANN LUOTTO WOLF  
10                          Assistant United States Attorney

11                          Attorneys for Plaintiff  
12                          United States of America

13 DATED: January \_\_\_, 2009

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14                          EDWARD LUTT, Claimant